

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 200400670-1

Inventor(s): David C. Collins

Confirmation No.: 9712

Application No.: 10/820,952

Examiner: Jeffrey S. Smith

Filing Date: April 8, 2004

Group Art Unit: 2624

Title: GENERATING AND DISPLAYING SPATIALLY OFFSET SUB-FRAMES

Mail Stop After Final
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment
☐ New fee as calculated below
☒ No additional fee
☐ Other _____

- ☐ Petition to extend time to respond
☐ Supplemental Declaration

Fee\$ _____

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$50	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$210	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$370	\$ 0
EXTENSION FEE	<input type="checkbox"/> 1st Month \$120	<input type="checkbox"/> 2nd Month \$460	<input type="checkbox"/> 3rd Month \$1050	<input type="checkbox"/> 4th Month \$1640		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Date of Deposit:

Typed Name:

Signature: _____

Respectfully submitted,

David C. Collins

By /Christopher P. Kosh/

Christopher P. Kosh

Attorney/Agent for Applicant(s)

Reg No. : 42,760

Date : Feb. 20, 2008

Telephone : (512) 241-2403

EXPEDITED PROCEDURE
Examining Group Number 2624

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	David C. Collins	Examiner:	Jeffrey S. Smith
Serial No.:	10/820,952	Group Art Unit:	2624
Filed:	April 8, 2004	Docket No.:	200400670-1
Title:	GENERATING AND DISPLAYING SPATIALLY OFFSET SUB-FRAMES		

RESPONSE

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Response is in reply to the Final Office Action mailed December 28, 2007.

Response

Applicant: David C. Collins

Serial No.: 10/820,952

Filed: April 8, 2004

Docket No.: 200400670-1

Title: GENERATING AND DISPLAYING SPATIALLY OFFSET SUB-FRAMES

REMARKS

The following Examiner Interview Summary and Request to Issue Non-Final Office Action are made in response to the Final Office Action mailed December 28, 2007.

EXAMINER INTERVIEW SUMMARY

A series of voice messages was exchanged between attorney for Applicants, Christopher P. Kosh, and Examiner Jeffrey Smith between January 31, 2008 and February 5, 2008 regarding the present Application.

Applicants brought to the Examiner's attention that U.S. Patent No. 7,034,811, which was relied on in a rejection 35 U.S.C. §103(a) in the Final Office Action mailed December 28, 2007, issued subsequent to the filing date of the present application. Accordingly, U.S. Patent No. 7,034,811 does not qualify as prior art under 35 U.S.C. §102(a) as alleged by the Examiner in the Final Office Action on p. 36.

In a voice message left for Applicants on February 5, 2008, the Examiner indicated that the Final Office Action would be re-issued.

In a voice message left for the Examiner on February 5, 2008, Applicants requested that any subsequent Office Action be issued as a Non-Final Office Action because Applicants had overcome the rejection based on U.S. Patent No. 7,034,811 from the first Office Action mailed on August 9, 2007 in the Amendment and Response filed November 8, 2007 by filing a Statement of Common Ownership.

To date, no response has been received from the Examiner regarding the request by Applicants on February 5, 2008 to issue any subsequent Office Action as a Non-Final Office Action.

REQUEST TO ISSUE NON-FINAL OFFICE ACTION

The MPEP states that:

[w]hen applying any 35 U.S.C. 102(e)/ 103 references against the claims of an application the examiner should anticipate that a statement averring common ownership at the time the invention was made may disqualify any patent or application applied in a rejection under 35 U.S.C. 103 based on 35 U.S.C. 102(e). If such a statement is

Response

Applicant: David C. Collins

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filed in reply to the 35 U.S.C. 102(e)/ 103 rejection and the claims are not amended, **the examiner may not make the next Office action final if a new rejection is made.** MPEP 706.07(a), 5th Paragraph (Emphasis added.)

As noted above, Applicants filed a Statement of Common Ownership in the Amendment and Response filed November 8, 2007 to overcome the rejection based on 35 U.S.C. §103(a) from the Office Action mailed on August 9, 2007. Independent claims 12 and 20 were not amended in the Amendment and Response filed November 8, 2007. Accordingly, Applicants respectfully request that any subsequent Office Action be issued as a Non-Final Office Action -- as required by the MPEP -- to allow Applicants an opportunity to respond to any new rejections set forth by the Examiner.

CONCLUSION

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application. Any inquiry regarding this Response should be directed to either Roger Greer at Telephone No. (312) 360-0080 or Christopher P. Kosh at Telephone No. (512) 241-2403. In addition, all correspondence should continue to be directed to the following address:

Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Respectfully submitted,

David C. Collins et al.

By their attorneys,

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/Christopher P. Kosh/

Date: February 20, 2008
CPK:dmd

Christopher P. Kosh
Reg. No. 42,760